

<b>United States Bankruptcy Court</b> <b>Northern District of Illinois, Eastern Division</b>		<b>VOLUNTARY PETITION</b>	
<b>IN RE</b> (Name of debtor-if individual, enter Last, First, Middle) <b>DEMARCO, JOHN L.</b>		<b>NAME OF JOINT DEBTOR (Spouse) (Last, First, Middle)</b> <b>DEMARCO, CHRISTINE H.</b>	
<b>ALL OTHER NAMES</b> used by the debtor in the last 6 years (including married, maiden and trade names)		<b>ALL OTHER NAMES</b> used by the joint debtor in the last 6 years (include married, maiden and trade names) Christine H. O'Donnell	
<b>SOC. SEC./TAX I.D. NO.</b> (If more than one, state all) ***-**-4647		<b>SOC. SEC./TAX I.D. NO.</b> (If more than one, state all) ***-**-4307	
<b>STREET ADDRESS OF DEBTOR</b> (No. and street, city, state, zip)  7703 Bristol Park Dr., Tinley Park, IL 60477		<b>STREET ADDRESS OF DEBTOR</b> (No. and street, city, state, zip)  7703 Bristol Park Dr., Tinley Park, IL 60477	
<b>COUNTY OF RESIDENCE OR</b> <b>PRINCIPAL PLACE OF BUSINESS</b> Cook		<b>COUNTY OF RESIDENCE OR</b> <b>PRINC. PLACE OF BUSINESS</b> Cook	
<b>MAILING ADDRESS OF DEBTOR</b> (If different from street address)		<b>MAILING ADDRESS OF JOINT DEBTOR</b> (If different from street address)	
<b>LOCATION OF PRINCIPAL ASSETS OF BUSINESS DEBTOR</b> (if different from addresses listed above)		<b>Chapter 13W/No Plan</b> <b>VENUE</b> (Check one box)	
<b>TYPE OF DEBTOR</b> (Check one box) <input type="checkbox"/> Individual <input type="checkbox"/> Corporation Publicly Held <input checked="" type="checkbox"/> Joint (H&W) <input type="checkbox"/> Corporation Not Publicly Held <input type="checkbox"/> Partnership <input type="checkbox"/> Municipality <input type="checkbox"/> Other		<b>CHAPTER OR SECTION OF BANKRUPTCY CODE UNDER WHICH THE PETITION IS FILED</b> (Check one box) <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 11 <input checked="" type="checkbox"/> Chapter 13 <input type="checkbox"/> Chapter 9 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> §304-Case Ancillary to Foreign Proceeding <b>SMALL BUSINESS</b> (Ch. 11 only) <input type="checkbox"/> Debtor is a small business as defined in 11 U.S.C. §101 <input type="checkbox"/> Debtor is and elects to be considered a small business under 11 U.S.C. §1121(e). (optional)	
<b>NATURE OF DEBT</b> (Check one box) <input checked="" type="checkbox"/> Non-Business Consumer <input type="checkbox"/> Business – Complete A&B Below		<b>FILING FEE</b> (Check one box) <input type="checkbox"/> Filing fee attached. <input type="checkbox"/> Filing fee to be paid in installments. (Applicable to individuals only.) Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1001(b); see Official Form Number 3.	
<b>A. TYPE OF BUSINESS</b> (Check one box) <input type="checkbox"/> Farming <input type="checkbox"/> Transportation <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Professional <input type="checkbox"/> Mfg./Mining <input type="checkbox"/> Construction <input type="checkbox"/> Retail/Wholesale <input type="checkbox"/> Stockbroker <input type="checkbox"/> Real Estate <input type="checkbox"/> Railroad <input type="checkbox"/> Other Business		<b>NAME AND ADDRESS OF LAW FIRM OR ATTORNEY</b> Christine R. Plesiecki Illinois Registration No. 6196644 9800 S. Roberts Rd., Suite 205, Palos Hills, IL 60465 Telephone: 708-233-6833	
<b>STATISTICAL ADMINISTRATIVE INFORMATION</b> (28 U.S.C. §604) (Estimates only)(Check applicable boxes)		<b>NAME OF ATTORNEY DESIGNATED TO REPRESENT THE DEBTOR</b> Christine R. Plesiecki	
<input type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors <input checked="" type="checkbox"/> Debtor estimates that after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.		<input type="checkbox"/> Debtor not rep	
<b>ESTIMATED NUMBER OF CREDITORS</b>		<b>U.S. Bankruptcy Court</b> <b>Northern District Of Illinois</b> <b>Filed:</b> 12/17/2004 <b>Time:</b> 14:23:35 <b>Debtor:</b> JOHN L DEMARCO <b>Case:</b> 04-46437 <b>Fee :</b> 194 <b>Chapter:</b> 13 <b>Rec. # :</b> 3116104 <b>Judge:</b> Susan Pierson Sonderby <b>341 mtg:</b> 01/19/2005 @ 01:30PM <b>ConfHrg:</b> 02/03/2005 @ 10:30AM <b>Trustee:</b> TOM VAUGHN	
<b>ESTIMATED ASSETS</b> (in thousands of dollars)			
<input type="checkbox"/> Under 50 <input type="checkbox"/> 50-99 <input checked="" type="checkbox"/> 100-499 <input type="checkbox"/> 500-999 <input type="checkbox"/> 1000-9999 <input type="checkbox"/>			
<b>ESTIMATED LIABILITIES</b> (in thousands of dollars)			
<input type="checkbox"/> Under 50 <input type="checkbox"/> 50-99 <input checked="" type="checkbox"/> 100-499 <input type="checkbox"/> 500-999 <input type="checkbox"/> 1000-9999 <input type="checkbox"/>			
<b>ESTIMATED NUMBER OF EMPLOYEES – CH 11 &amp; 12 ONLY</b>			
<input type="checkbox"/> 0 <input type="checkbox"/> 1-19 <input type="checkbox"/> 20-999 <input type="checkbox"/> 100-999 <input type="checkbox"/> 1000-over			
<b>ESTIMATED NO. OF EQUITY SECURITY HOLDERS – CH. 11 &amp; 12 ONLY</b>			
<input type="checkbox"/> 0 <input type="checkbox"/> 1-19 <input type="checkbox"/> 20-999 <input type="checkbox"/> 100-999 <input type="checkbox"/> 1000-over			



1:04BK46437-BK001

**Voluntary Petition**

(This page must be completed and filed in every case)

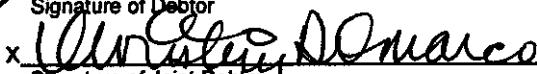
Name of Debtor(s):  
**DEMARCO, JOHN L. AND CHRISTINE H.**

## Prior Bankruptcy Case Filed Within Last 6 Years (If more than one, attach additional sheet)

Location Where Filed:	Case Number:	Date Filed:
Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet)		
Name of Debtor:	Case Number:	Date Filed:
District:	Relationship:	Judge:

**Signatures****Signature(s) of Debtor(s) (Individual/Joint)**

I declare under penalty of perjury that the information provided in this petition is true and correct.  
 [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

Signature of DebtorSignature of Joint Debtor

## Telephone (If not represented by attorney)

Dec. 15, 2004

Date

## Signature of Attorney

Signature of Attorney

## CHRISTINE R. PIESIECKI

Illinois Registration No. 6196644  
 9800 South Roberts Road, Suite 205  
 Palos Hills, IL 60465  
 Phone: 708-233-6833

Dec. 15, 2004

Date

**EXHIBIT A**

(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)

Exhibit A is attached and made part of this petition.

**Signature(s) of Debtor(s) (Corporation/Partnership)**

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

If debtor is a corporation filing under chapter 11, United States Code, Specified in this petition

X

Signature of Authorized Individual

Print of Type Name of Authorized Individual

Title of Authorized Individual by Debtor to File this Petition

Date

**Signature of Non-Attorney Petition Preparer**

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. §110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document

Printed Name of Bankruptcy Petition Preparer

Social Security Number

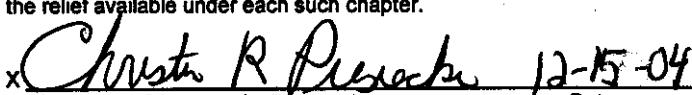
Address

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document:

**EXHIBIT B**

(To be completed if debtor is an individual whose debts are primarily consumer debts.)

I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, and have explained the relief available under each such chapter.

Signature of Attorney for Debtor(s)

Date

If more than one person prepared this document, attach additional signed sheets conforming to the appropriate official form for each person.

X

Signature of Bankruptcy Petition Preparer

Date

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. §110; 18 U.S.C. §156.

## UNITED STATES BANKRUPTCY COURT, NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

In re: DEMARCO, JOHN L. AND CHRISTINE H., Debtor(s)

Case No. (If known)

**STATEMENT**  
Pursuant to Rule 2016(b)

The undersigned, pursuant to Rule 2016(b) Bankruptcy Rules, states that:

1. The undersigned is the attorney for the debtor(s) in this case.
2. The compensation paid or agreed to be paid by the debtor(s) to the undersigned is:
 

(a) for legal services rendered or to be rendered in contemplation of and in connection with this case	\$2,306.00
(b) prior to filing this statement, debtor(s) has paid	\$ 656.00
(c) the unpaid balance due and payable is	\$1,650.00
3. \$194.00 of the filing fee in this case has been paid
4. The services rendered or to be rendered include the following:
  - (a) analysis of the financial situation, and rendering advice and assistance to the debtor(s) in determining whether to file a petition under title 11 of the United States Code.
  - (b) preparation and filing of the petition, schedules, statement of affairs and other documents required by the court.
  - (c) representation of the debtor(s) at the meeting of creditors.
5. The source of payments made by the debtor(s) to the undersigned was from earnings, wages and compensation for services performed.
6. The source of payments to be made by the debtor(s) to the undersigned for the unpaid balance remaining, if any, will be from earnings, wages and compensation for services performed.
7. The undersigned has received no transfer, assignment or pledge of property except the following for value stated:  
**NO EXCEPTIONS**
8. The undersigned has not shared or agreed to share with any other entity, other than with members of the undersigned's law firm, any compensation paid or to be paid except as follows:  
**NO EXCEPTIONS**

Dated: 12/14/04

Respectfully submitted,



Attorney for Petitioner

CHRISTINE R. PIESIECKI  
9800 South Roberts Road, Suite 205  
Palos Hills, IL 60465  
708-233-6833

**SCHEDULE A – REAL PROPERTY**

DESCRIPTION AND LOCATION OF PROPERTY	NATURE OF DEBTOR'S INTEREST IN PROPERTY	H W J C	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION	AMOUNT OF SECURED CLAIM
Townhouse at 7703 Bristol Pk. Dr., Tinley Pk., IL	Fee Simple		\$220,000.00	1 <sup>st</sup> mtg. \$186,000.00 arrears \$ 21,300.00 2 <sup>nd</sup> mtg. \$ 10,000.00 arrears \$ 1,465.00 HUD \$ 11,000.00 No arrears
Total			\$220,000.00	(Report also on Summary of Schedules)

**SCHEDULE B – PERSONAL PROPERTY**

TYPE OF PROPERTY	N O N E	DESCRIPTION AND LOCATION OF PROPERTY	H W J C	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
1. Cash on hand	N			
2. Checking, savings or other financial accounts, certificates of deposit or shares in banks, savings and loan, thrift, building and loan, and home- stead associations, or credit unions, brokerage houses, or cooperatives.	N	Marquette Bank, jt. checking		\$ 100.00
3. Security deposits with public utilities, telephone companies, landlords and others	N			
4. Household goods and furnishings including audio, video and computer equipment	N	Misc. Household Goods and Furnishings		\$4,000.00
5. Books; pictures and other art objects; antiques; stamp, coin, record, tape, compact disc and other collections or collectibles.	N			
6. Wearing apparel.		Misc. Wearing Apparel		\$ 550.00
7. Furs and jewelry.		Misc. Jewelry		\$ 200.00
8. Firearms and sports, photo-graphic and other hobby equipment.	N			
9. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	N			

**SCHEDULE B - PERSONAL PROPERTY**In re: **DEMARCO, JOHN L. AND CHRISTINE H.**, Debtor(s)

Case No.

(if known)

TYPE OF PROPERTY	N O N E	DESCRIPTION AND LOCATION OF PROPERTY	H W J C	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
10. Annuities. Itemize and name each issuer.	N			
11. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Itemize.	N			
12. Stock and interests in incorporated and unincorporated businesses. Itemize.	N			
13. Interest in partnerships or joint ventures. Itemize.	N			
14. Government and corporate bonds and other negotiable and non-negotiable instruments.	N			
15. Accounts receivable.	N			
16. Alimony, maintenance, support and property settlements to which the debtor is or may be entitled. Give particulars.	N			
17. Other liquidated debts owing debtor including tax refunds. Give particulars.	N			
18. Equitable or future interests, life estates and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule of Real Property.	N			
19. Contingent and non-contingent interests in estate of a decedent, death benefit plan, life insurance policy or trust.	N			
20. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor and rights to setoff claims. Give estimated value of each.	N			
21. Patents, copyrights and other intellectual property. Give particulars.	N			
22. Licenses, franchises and other general intangibles. Give particulars.	N			
23. Automobiles, trucks, trailers and other vehicles and accessories.		1998 Ford Winstar 2001 Chrysler Town & Country		\$ 900.00 \$12,000.00
24. Boats, motors and accessories.	N			
25. Aircraft and accessories.	N			
26. Office equipment, furnishings and supplies.	N			
27. Machinery, fixtures, equipment and supplies used in business.	N			
28. Inventory.	N			
29. Animals.	N			
30. Crops – growing or harvested. Give particulars.	N			
31. Farming equipment and implements.	N			
32. Farm supplies, chemicals and feed.	N			
33. Other personal property of any kind not already listed. Itemize.	N			
Continuation sheets attached		(Report total also on Summary of Schedules)	TOTAL	\$17,750.00

**SCHEDULE C – PROPERTY CLAIMED AS EXEMPT**

Debtor elects the exemptions to which debtor is entitled under (check one box)

11 U.S.C. § 522(b)(1): Exemptions provided in 11 U.S.C. § 522(d). Note: These exemptions are available only in certain states.  
 11 U.S.C. § 522(b)(2): Exemptions available under applicable nonbankruptcy federal laws, state or local law.

DESCRIPTION OF PROPERTY	SPECIFY LAW PROVIDING EACH EXEMPTION	VALUE OF CLAIMED EXEMPTION	CURRENT MARKET VALUE OF PROPERTY WITHOUT DEDUCTING EXEMPTION
Residence at 7750 Bristol Pk. Dr.	735 ILCS 5/12-901	\$15,000.00	\$220,000.00
Misc. Household Goods and Furnishings	735 ILCS 5/12-1001(b) 735 ILCS 5/12-1001(a)	\$ 2,000.00 \$ 500.00	\$ 4,000.00
Misc. Wearing Apparel	735 ILCS 5/12-1001(a)	\$ 550.00	\$ 550.00
2001 Chrysler Town & Country	735 ILCS 5/12-1001(c) 735 ILCS 5/12-1001(b)	\$ 2,400.00 \$ 2,000.00	\$12,000.00

In re: **DEMARCO, JOHN L. AND CHRISTINE H.**, Debtor(s)

Case No. \_\_\_\_\_

(if known) \_\_\_\_\_

**SCHEDULE D – CREDITORS HOLDING SECURED CLAIMS**

Check here if debtor has no creditors holding secured claims to report on this Schedule D.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE	CO D E B T	H W J C	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND MARKET VALUE OF PROPERTY SUBJECT TO LIEN	C U D *	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UN-SECURED PORTION IF ANY
A/C # 04 CH 11053			1 <sup>st</sup> Mtg. residence		\$186,000.00	
Chase Manhattan Mtg. c/o Pierce & Associates 1 N. Dearborn Chicago, IL 60602			VALUE \$ 220,000.00		Arrears \$21,300.00	
A/C # 41173026-511614-0			2 <sup>nd</sup> Mtg. residence		\$10,000.00	
Beneficial IL, Inc. d/b/a Beneficial Mtg. Co. of IL c/o CT Corporation System 208 S. LaSalle St., #814 Chicago, IL 60604			VALUE \$220,000.00		Arrears \$1,465.00	
A/C # 329-60-4647			3 <sup>rd</sup> Mtg. residence		\$11,000.00	
First Madison Services, Inc. Servicer for HUD 4111 S. Darlington, Suite 300 Tulsa, OK 74135			VALUE \$ 220,000.00		No arrears	
A/C#			Assoc. Pmt. Arrears		\$1,332.50	
Bristol Park II Townhome Assn. Park Mgmt. & Realty, Inc. 7030 Centennial Dr. Tinley Park, IL 60477			VALUE \$ 220,000.00			
A/C# 329-60-4647			Title Loan on 1998 Winstar		\$1,725.00	
USA Payday Loans #9128 15943 S. Harlem Tinley Park, IL 60477			VALUE \$ 900.00			
A/C#			VALUE \$			
A/C#			VALUE \$			
<u>0</u> continuation sheets attached				Subtotal (Total of this page)	\$	
				TOTAL (use only on last page)	\$ 210,057.50	

(Report total also on Summary of Schedules)

\*If contingent, enter C; if unliquidated, enter U; if disputed, enter D.

In re: **DEMARCO, JOHN L. AND CHRISTINE H.**, Debtor(s)

Case No.

(if known)

### **SCHEDULE E – CREDITORS HOLDING UNSECURED PRIORITY CLAIMS**

Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.

#### **TYPE OF PRIORITY CLAIMS** (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)

**Extensions of credit in an involuntary case:** Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(2).

**Wages, salaries and commissions:** Wages, salaries and commissions, including vacation, severance and sick leave pay owing to employees, and commissions owing to qualifying independent sales representatives up to \$4,000\* per person, earned within 90 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(3).

**Contributions to employee benefit plans:** Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).

**Certain farmers or fishermen:** Claims of certain farmers and fishermen, up to \$4,000\* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(5).

**Deposits by individuals:** Claims of individuals up to \$1,800\* for deposits for the purchase, lease or rental of property or services for personal, family or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(6).

**Alimony, Maintenance or Support:** Claims of a spouse, former spouse or child of the debtor for alimony, maintenance or support to the extent provided in 11 U.S.C. § 507(a)(7).

**Taxes and Certain Other Debts Owed to Governmental Units:** Taxes, customs duties and penalties owing to federal, state and local governmental units as set forth in 11 U.S.C. § 507(a)(8).

**Commitments to Maintain the Capital of an Insured Depository Institution:** Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507(a)(9).

\*Amounts are subject to adjustment on April 1, 1998 and every three years thereafter with respect to cases commenced on or after the date of adjustment

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE	CO D E B T * H W J C	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM	C U D * C	TOTAL AMOUNT OF CLAIM	AMOUNT ENTITLED TO PRIORITY
A/C # 329-60-4647					
Internal Revenue Service Mail Stop 5010 CHI 230 S. Dearborn St. Chicago, IL 60604		2003 1040 2002 1040 1997 1040 1994 1040 1992 1040		\$ 7,600.00 \$10,106.00 \$ 6,240.00 \$ 100.00 \$15,000.00	) \$17,706
A/C #					
A/C #					
A/C #					
Continuation sheets attached			Subtotal (Total of this Page)		
		Total (Use only on last page of completed Schedule E)		Non Priority: \$22,340.00	Priority: \$17,706.00

\*\*If contingent, enter C; if unliquidated, enter U; if disputed, enter D.

In re: DEMARCO, JOHN L. AND CHRISTINE H., Debtor(s)

Case No.

(if known)

## SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE	CO D E B T	H W J C *	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	C U D **	AMOUNT OF CLAIM
A/C # 5291 1521 0982 4561					\$ 967.05
Capital One PO Box 85015 Richmond, VA 23285-5015					
A/C # 5183371120019867					\$14,312.51
JP Morgan Chase PO Box 52176 Phoenix, AZ 85072-2176					
A/C # CL 3530					NOTICE ONLY
CCB Credit PO Box 272 Springfield, IL 62705-0272					
A/C # 609200049					\$ 133.73
Children's BOMC Customer Svc. Cntr. Camp Hill, PA 17012					
A/C # 5458 0018 4942 7244					\$1,657.54
Direct Merchants Bank PO Box 21550 Tulsa, OK 74121-1550					
A/C #200303954/7522017412/003444/1					\$ 630.13
Jewel Food Stores c/o Heller and Frisone 33 N. LaSalle St., Suite 1200 Chicago, IL 60602					
A/C #					
Kirby School Dist. 140 Bus. Offc. 16931 S. Grissom Dr., Box 98 Tinley Park, IL 60477					\$ 510.00
Sheet No. <u>1</u> of <u>2</u> sheets attached to Schedule Of Creditors Holding Nonpriority Claims.			Subtotal (Total of this Page)		\$18,110.96
			Total → (Use only on last page of completed Schedule F)		\$

\* If husband, enter H; if wife, enter W; if joint, enter J; if community, enter C.

\*\*If contingent, enter C; if unliquidated, enter U; if disputed, enter D.

In re: **DEMARCO, JOHN L. AND CHRISTINE H.**, Debtor(s)

Case No.

(if known)

**SCHEDULE F – CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

Check here if debtor has no creditors holding unsecured nonpriority claims to report on this Schedule F.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE	CO D E B T	H W J C *	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	C U D **	AMOUNT OF CLAIM
A/C # 5491049550036380					\$9,000.00
Chase Manhattan Bank Legal Dept. Attn.: Michael D. Fine 227 W. Monroe, Suite 2700 Chicago, IL 60606					
A/C # 4121 7415 8552 4072					\$1,259.06
Capital One PO Box 85015 Richmond, VA 23285-5015					
A/C # 1585524072					NOTICE ONLY
NCO Financial PO Box 41417, Dept. 2 Philadelphia, PA 19101					
A/C # 5570091814758619					\$ 898.81
Capital One PO Box 85015 Richmond, VA 23285-5015					
A/C # 05198223					NOTICE ONLY
MRS Associates 3 Executive Campus, Suite 400 Cherry Hill, NJ 08002					
A/C # 5570091838179875					\$1,030.28
Capital One PO Box 85015 Richmond, VA 23285-5015					
A/C # YDUEZ-5200485					NOTICE ONLY
Associated Recovery PO Box 469048 Escondido, CA 92046-9048					
2 Continuation Sheets Attached			Subtotal (Total of this Page)		\$11,188.15
			Total → (Use only on last page of completed Schedule F)		\$

\* If husband, enter H; if wife, enter W; if joint, enter J; if community, enter C.

\*\*If contingent, enter C; if unliquidated, enter U; if disputed, enter D.

In re: **DEMARCO, JOHN L. AND CHRISTINE H.**, Debtor(s)

Case No.

(if known)

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE	CO D E B T	H W J C *	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	C U D **	AMOUNT OF CLAIM
A/C # 100991651					\$ 239.90
Lifetime Fitness 6442 City West Pkwy, Suite 300 Edina, MN 55344					
A/C # 9 198 001 126 90					\$1,110.72
Retailers National Bank c/o Marshall Field's Credit Svcs. PO Box 1581 Minneapolis, MN 55440-1581					
A/C # 5182F000001680					\$ 398.50
Victor J. Andrew H.S. 15100 S. 94 <sup>th</sup> Ave. Orland Park, IL 60462					
A/C # 5182F000001680 / Erica					NOTICE ONLY
Transworld Systems 5880 Commerce Blvd. Rohnert Park, CA 94928-1651					
A/C # 322-74-4307					\$10,720.53
US Dept. of Education PO Box 4169 Greenville, TX 75403-4169					
A/C #					
A/C #					
Sheet No. <u>2</u> of <u>2</u> sheets attached to Schedule Of Creditors Holding Nonpriority Claims.			Subtotal (Total of this Page)		\$12,469.65
			Total → (Use only on last page of completed Schedule F)		\$31,768.73

\* If husband, enter H; if wife, enter W; if joint, enter J; if community, enter C.

\*\*If contingent, enter C; if unliquidated, enter U; if disputed, enter D.

**SCHEDULE G – EXECUTORY CONTRACTS AND UNEXPIRED LEASES**

Check this box if debtor has no executory contracts or unexpired leases.

NAME AND MAILING ADDRESS, INCLUDING ZIP CODE OF OTHER PARTIES TO LEASE OR CONTRACT	DESCRIPTION OF CONTRACT OF LEASE AND NATURE OF DEBTOR'S INTEREST. STATE WHETHER LEASE IS FOR NONRESIDENTIAL REAL PROPERTY. STATE CONTRACT NUMBER OF ANY GOVERNMENT CONTRACT.

**SCHEDULE H – CODEBTORS**

[ X ] Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS CREDITOR

In re: **DEMARCO, JOHN L. AND CHRISTINE H.**, Debtor(s)

Case No.

(if known)

## SCHEDULE I – CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by a married debtor in a chapter 12 or 13 case whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.

Debtor's Marital Status:		DEPENDENTS OF DEBTOR AND SPOUSE			
		Names:	Age	Relationship	
Married		Erica Michaela Mackenzie Gabrielle	15 13 10 6	Daughter Daughter Daughter Daughter	
Employment:		DEBTOR	SPOUSE		
Occupation					
Name of Employer		Wachovia Securities	Marshall Fields		
How Long Employed					
Address of Employer		Orland Park, IL			
INCOME: (Estimate of average monthly income)				DEBTOR	SPOUSE
Current monthly gross wages, salary and commissions (pro rate if not paid monthly)				\$4,750.90	\$1,781.17
Estimate monthly overtime				\$4,750.90	\$1,781.17
SUBTOTAL					
Less Payroll Deductions:					
a. Payroll taxes and social security				\$ 647.84	\$ 167.85
b. Insurance				\$1,062.69	
c. Union dues					
d. Other (specify):					
SUBTOTAL OF PAYROLL DEDUCTIONS				\$1,710.53	\$ 167.85
TOTAL NET MONTHLY TAKE HOME PAY				\$3,040.37	\$1,613.32
Regular income from operation of business or profession or farm (attach detailed stmt.)					
Income from real property					
Interest and dividends					
Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above					
Social security or other government assistance (specify)					
Pension or retirement income					
Other monthly income (specify)					
TOTAL MONTHLY INCOME				\$3,040.37	\$1,613.32
TOTAL COMBINED MONTHLY INCOME				\$4,653.69	(Report also on Summary of Schedules)
Describe any increase or decrease of more than 10% in any of the above categories anticipated to occur within the year following the filing of this document:					

**SCHEDULE J – CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)**

**Complete this schedule by estimating the average monthly expenses of the debtor and the debtor's family. Pro rate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate.**

Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse".

Rent or home mortgage payment (include lot rented for mobile home) 1 <sup>st</sup> mtg.	\$1,729.00
2 <sup>nd</sup> mtg.	\$ 179.00
Are real estate taxes included? <input type="checkbox"/> Yes <input type="checkbox"/> No	Is property insurance included? <input type="checkbox"/> Yes <input type="checkbox"/> No
Utilities: Electricity and heating fuel	\$ 225.00
Water and sewer	\$ 43.00
Telephone	\$ 75.00
Monthly condo assessment	\$ 115.00
Cell phone	\$ 39.00
Cable	\$ 59.00
Home maintenance (repairs and upkeep)	
Food	\$ 554.69
Clothing	\$ 100.00
Laundry and dry cleaning	\$ 60.00
Medical and dental expenses	\$ 60.00
Transportation (not including car payments)	\$ 200.00
Recreation, clubs and entertainment, newspapers, magazines, etc.	
Charitable contributions	
Insurance (not deducted from wages or included in home mortgage payments)	
Homeowner's or renter's	
Life	
Health	
Auto	\$ 115.00
Other	
Taxes (not deducted from wages or included in home mortgage payments)	
(Specify)	
Instalment payments: (In chapter 12 and 13 cases, do not list payments to be included in the plan)	
Auto	
Other	
Alimony, maintenance, and support paid to others	
Payments for support of additional dependents not living at your home	
Regular expenses from operation of business, profession, or farm (attach detailed statement)	
Other	
Auto repair and maintenance	\$ 50.00
School books, supplies, activities and lessons	\$ 65.00
Grooming	\$ 50.00
Bank fees, money order fees, postage, income tax preparation	\$ 35.00
<b>TOTAL MONTHLY EXPENSES (Report also on Summary of Schedules)</b>	<b>\$3,753.69</b>
(FOR CHAPTER 12 AND 13 DEBTORS ONLY)	
Provide the information requested below, including whether plan payments are to be made bi-weekly, monthly, annually or at some other regular interval	
A. Total projected monthly income	\$4,653.69
B. Total projected monthly expenses	
C. Excess income (A minus B)	
D. TOTAL AMOUNT TO BE PAID INTO PLAN EACH (insert interval)	\$ 900.00

## UNITED STATES BANKRUPTCY COURT, NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

In re: DEMARCO, JOHN L. AND CHRISTINE H., Debtor(s)

Case No. (if known)

## DECLARATION CONCERNING DEBTOR'S SCHEDULES

## DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing summary and schedules consisting of 12 sheets, and that they are true and correct to the best of my knowledge, information and belief.

Date: Dec. 15, 2004

Signature

Debtor

Date: Dec. 15, 2004

Signature

(Joint Debtor, if any) (If joint case, both spouses must sign.)

## CERTIFICATION AND SIGNATURE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (SEE 11 U.S.C. §110)

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. §110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.

Printed or typed Name of Bankruptcy Petition Preparer

Social Security No.

Address: \_\_\_\_\_

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document:

If more than one person prepared this document, attach additional signed sheets conforming to the appropriate Official Form for each person.

Signature of Bankruptcy Petition Preparer

Date

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. §110; 18 U.S.C. §156

## DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF A CORPORATION OR PARTNERSHIP

I, the \_\_\_\_\_ (the president or other officer or an authorized agent of the corporation or a member or an authorized agent of the partnership) of the \_\_\_\_\_ (corporation or partnership) named as debtor in this case, declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of \_\_\_\_\_ sheets, and that they are true and correct to the best of my knowledge, information and belief.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

(Print or type name of individual signing on behalf of debtor)

(An individual signing on behalf of a partnership or corporation must indicate position or relationship to the debtor.)

## United States Bankruptcy Court for the Northern District of Illinois, Eastern Division

In re: DEMARCO, JOHN L. AND CHRISTINE H., Debtor(s)

Case No.

## STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs.

Questions 1-15 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete questions 16-21. If the answer to any question is "None" or the question is not applicable, mark the box labeled "None". If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (of known) and the number of the question.

## DEFINITIONS

*"In business."* A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within the two years immediately preceding the filing of this bankruptcy case, any of the following: An officer, director, managing executive or person in control of a corporation; a partner, other than a limited partner; a sole proprietor or self-employed.

*"Insider."* The term "insider" includes but is not limited to: Relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director or person in control; officers, directors and any person in control of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. §101(30).

None 1. Income from Employment or Operation of Business

State the gross amount of income the debtor has received from employment, trade or profession, or from operation of the debtor's business from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the two years immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Give amount and source (if more than one).)

None 2. Income Other than from Employment or Operation of Business

State the amount of income received by the debtor other than from employment, trade, profession or operation of the debtor's business during the two years immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.) Give amount and source.

3. Payments to Creditors

None a. List all payments on loans, installment purchases of goods or services and other debts, aggregating more than \$600 to any creditor, made within 90 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. (Give name and address of creditor, dates of payments, amount paid and amount still owing.

None b. List all payments made within one year immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.) Give name and address of creditor and relationship to debtor, date of payment, amount paid and amount still owing.

4. Suits and Administrative Proceedings, Executions, Garnishments and Attachments

None a. List all suits and administrative proceedings to which the debtor is or was a party within one year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition

2004 year-to-date, approx.:	\$ 60,000.00 from wages
2003, approximately:	\$145,755.00 from wages and \$ 3,004 retirement acct. distribut.
2002, approx.	\$ 117,604.00 from wages and \$ 685.00 retirement acct. distribution

Chase Manhattan Mtg. v. Debtors, Case # 04 CH 11053 filed in the Circuit Ct. of Cook Cty., IL; mtg foreclosure suit; judg. Entered 10/13/04

Chase Manhattan Bank v. John Demarco, Case # 03 M1 136907 filed in the

is filed, unless the spouses are separated and a joint petition is not filed.) Give caption of suit and case number, nature of proceeding, court or agency and location, and status or disposition.

[x] None b. Describe all property that has been attached, garnished, seized under any legal or equitable process within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.) Give name and address of person for whose benefit property was seized, date of seizure and description and value of property.

**[x] None 5. Repossessions, Foreclosures and Returns**

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.) Give name and address of creditor or seller, date of repossession, foreclosure sale, transfer or return, and description and value of property.

**6. Assignments and Receiverships**

[x] None a. Describe any assignment of property for the benefit of creditors made within 120 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.) Give name and address of assignee, date of assignment and terms or assignment or settlement.

[x] None b. List all property which has been in the hands of a custodian, receiver or court-appointed official within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.) Give name and address of custodian, name and location of court, case title and number, date of order and description and value of property.

**[x] 7. Gifts**

List all gifts or charitable contributions within one year immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Give name and address of person or organization, relationship to debtor, if any, date of gift and description and value of gift.

**[x] None 8. Losses**

List all losses from fire, theft, other casualty or gambling within one year immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.) Give description and value of property, description if circumstances and, if loss was covered in whole or in part by insurance, give particulars and date of loss.

**[ ] None 9. Payments Related to Debt Counseling or Bankruptcy**

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within one year immediately preceding the commencement of this case. Give name and address of payee, date of payment, name or payor

\$656.00 plus filing fee paid to Christine Piesiecki for this proceeding

**If other than debtor and amount of money or description and value of property.**

**[x] None 10. Other Transfers**

List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.) Give name and address of transferee, relationship to debtor, date, and describe property transferred and value received.

**[x] None 11. Closed Financial Accounts**

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold or otherwise transferred within one year immediately preceding the commencement of this case. Include checking, savings or other financial accounts, certificates of deposit or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Give name and address of institution, type and number of account and amount of final balance and amount and date of sale or closing.

**[x] None 12. Safe Deposit Boxes**

List each safe deposit or other box or depository in which the debtor has or had securities, cash or other valuables within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.) Give name and address of bank or other depository, names and addresses of those with access to box or depository, description of contents and date of transfer or surrender, if any.

**[x] None 13. Setoffs**

List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within 90 days preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.) Give name and address of creditor, date of setoff and amount of setoff.

**[x] None 14. Property Held for Another Person**

List all property owned by another person that the debtor holds or controls. Give name and address of owner, description and value of property and location of property.

**[x] None 15. Prior Address of Debtor**

If the debtor has moved within the two years immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse. Give address, name used and dates of occupancy.

*[If completed by an individual or individual and spouse]*

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct.

Date: Dec. 15, 2004

Signature  
of Debtor

Date: Dec. 15, 2004

Signature  
of Joint Debtor  
(if any)

John J. DiMarco

Christine DiMarco

*[If completed on behalf of a partnership or corporation]*

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct to the best of my knowledge, information and belief.

Date: \_\_\_\_\_

Signature \_\_\_\_\_

Print Name and Title \_\_\_\_\_

[An individual signing on behalf of a partnership or corporation must indicate position or relationship to debtor.]

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CERTIFICATE AND SIGNATURE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (SEE 11 U.S.C. §110)

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. §110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.

Printed or Typed Name of Bankruptcy Petition Preparer \_\_\_\_\_

Social Security No. \_\_\_\_\_

Address \_\_\_\_\_

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document:

If more than one person prepared this document, attach additional signed sheets conforming to the appropriate Official Form for each person.

Signature of Bankruptcy Petition Preparer \_\_\_\_\_

Date \_\_\_\_\_

*A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. §110; 18 U.S.C. §156.*

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§152 and 3571.